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Spy-Case Judge Hushes Lawyers

Most reporters assume their readers or viewers have a well-nigh insatiable curiosity about colorful prosecutions. Many lawyers have acquired the skills of the press agent. So the trials of three people accused of spying for the Soviet Union, due to get under way in Los Angeles later this month, have been preceded by a surge of publicity.

Decreeing that things had gone too far, Federal District Judge David V. Kenyon Jr. last week directed lawyers in the case to talk no more to reporters. He was sharply critical of the lawyers for a Russian émigré couple, Svetlana and Nikolay Ogorodnikov, and for Richard W. Miller, a former Federal Bureau of Investigation counterintelligence agent.

In the order, Judge Kenyon said the lawyers had created "a serious and imminent threat to the administration of justice" by "lobbying" for their clients through a news account published last weekend in The Los Angeles Times. The article quoted the defense lawyers as saying the Government's evidence was as flimsy their clients should never have been charged. Further, the judge noted, the story had provided a "detailed" preview of their strategy. The Ogorodnikovs are to be tried first, starting March 19.

Mr. Miller is the only bureau agent ever to be charged with espionage. He and the Ogorodnikovs were arrested last Oct. 2. Mr. Miller is charged with conspiring to pass classified national security information to the Ogorodnikovs.

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